



Flathead Conservation District
133 Interstate Lane, Kalispell, MT 59901
www.flatheadcd.org 406-752-4220

CALL TO ORDER & ATTENDANCE

Chair Ronald Buentemeier called the April 8, 2019, 310-Stream Permit meeting to order at 7:00 P.M. in the conference room.

Board members present:

Ronald Buentemeier, Chair; Pete Woll, Vice Chair; Dean Sirucek, Secretary/Treasurer; John Ellis, Supervisor; Verdell Jackson, Supervisor; being a quorum of the Board.

Board member/s absent: Lori Curtis, Supervisor. Absence is excused.

Also, in attendance were Valerie Kurth, Hailey Graf and Ginger Kauffman, FCD staff; Leo Rosenthal and Kenny Breidinger, MFWP; Dan O'Neill; Norm Hayek; Casey Malmquist; Wil Goodpaster, TD&H Engineering; Megan Chaisson & Randy Hohf, Whitefish Middle School.

MINUTES

Dean Sirucek motioned "to approve the minutes of the March 25, 2019, business meeting as presented." Verdell Jackson seconded. Motion carried unanimously.

CORRESPONDENCE

1. Email: National Association of Conservation Districts (**NACD**)
 - a. *Conservation Clips* is a weekly collection of articles distributed by NACD that provides members and partners with the latest news in what's driving conservation <http://www.nacdnet.org/news-and-events/publications/conservation-clips/>
 - b. *Forestry Notes* is a monthly publication NACD produces in collaboration with the USDA Forest Service and the National Association of State Foresters. Each edition includes prime examples of district-led forestry projects and partnerships focused on finding and implementing solutions to modern forestry challenges. <http://www.nacdnet.org/news-and-events/publications/forestry-notes/>
 - c. *eResource* is a weekly electronic newsletter that provides our conservation district members and partners the news and insights they need to stay current on all things conservation. <https://www.nacdnet.org/news-and-events/publications/eresource/>
 - d. NACD 2018 Annual Report (hard copy)
2. Email: Montana Association of Conservation Districts (**MACD**) and Soil & Water Conservation Districts of Montana (**SWCDM**)
 - a. Soil & Water conservation Districts of Montana (SWCDM) issues of *The Montana Conservationist* <https://swcdm.org/>
 - b. Montana Association of Conservation Districts (MACD) *District Dispatch*. Contact Dan McGowan dmcgowan@macdnet.org



3. Email: **Newsletters**
 - a. Petroleum County Conservation District newsletter *District Dirt*
<https://www.facebook.com/Petcocd55> OR www.petroleumcd.com
 - b. Lower Musselshell Conservation District newsletter *LMCS Conservation News*
(406) 323-2103 Ext 101 Donna.Pedrazzi@mt.nacdnet.net
 - c. Cascade Conservation District newsletter *Conservation Chronicle*
Contact secretary@cascadecd.com 406-770-4332
 - d. Flathead Audubon Society newsletter *Pileated Post* www.flatheadaudubon.org/
 - e. Montana Watershed Coordination Council newsletter *Watershed News*
<https://mtwatersheds.org/app/>
4. Email: **Trainings, Workshops, Meetings**
 - a. Judith Basin CD **Range School** May 29 & 30, at Bos Terra, 342 Sale Barn Drive, Hobson, MT. Contact 406-566-2311 Ext. 107
 - b. Rosebud and Treasure County CD's along with MSU Extension are hosting a **Tree & Gardening Workshop**, Friday, April 12, 9:00 A.M. – 4:00 P.M., Rosebud County Library Basement, Forsyth, MT. Contact Bobbi L Vannattan, Bobbi.vannattan@mt.usda.gov 406.346.7333 ext. 8012 www.rosebudcd.com
 - c. Stillwater Conservation District is hosting an **Invasive Annual Grass Workshop**, April 3, 2019, 944 E. Pike Ave., Columbus, MT, 1:00 P.M. Contact 406-322-5359 Ext. 101 sharon.flemetis@mt.nacdnet.net
 - d. **Whitefish City Planning Board** meeting, Thursday, April 18, 6:00 P.M. Whitefish City Council Chambers. www.cityofwhitefish.org
5. Email: **Other**
 - a. The Missouri River Conservation Districts Council is **seeking a full-time professional coordinator**. Applications due April 15, 2019 by 5 p.m. Visit www.MissouriRiverCouncil.info or call 406-454-0056 for more information.

FINANCIAL

The following bills were reviewed:

1. Byte Savvy \$55.00
2. Family Forestry Expo \$10,000.00
3. Flathead Beacon \$528.00
4. MontanaSky \$10.00
5. Mountain States Leasing – Kalispell \$1599.73
6. Mountain Trader \$74.40
7. Snowghost Design Inc. \$750.00

John Ellis motioned “to approve the bills as presented.” Verdell Jackson seconded. Motion carried unanimously.

PUBLIC COMMENT PERIOD

No one was present to comment on items not listed on the agenda.



Board Officers/Chair: Ronald Buentemeier stated at the last meeting the board had briefly talked about supervisor areas and board officers. He felt it was important to have all supervisors participate in the discussion and asked that this item be moved to the May 13th 310-meeting agenda so that all supervisors would be present.

310

Apex 1 LLC, FL2019010, Bowser Spring Creek, road construction/utilities/residential structures: Verdell Jackson stated most of the activities are about 100 feet away from the stream and he felt that it would not be a project under the jurisdiction of the district. He also mentioned a walking bridge over the stream that they are proposing to improve with some gravel. Ronald Buentemeier asked if there was a culvert. Verdell answered yes and showed the board his photos. Kenny Breidinger stated that he thought we had jurisdiction over the trail because it is crossing the culvert and traversing up the streambank – a cut and fill slope to the top of the bank. Although much of the proposed project is basically a housing development far from the bank, there is a trail adjacent to the creek and a stormwater settling pond at the bottom of the streambank. Ronald Buentemeier asked what kind of work will be done on the trail. Wil Goodpaster, TD&H Engineering, stated it needs to be made ADA accessible, so it will be cut and leveled on the slope and there will be gravel improvements to allow pedestrian access.

Hailey Graf asked if the work for the trail was included in the narrative of the application. Verdell stated it is on the map, but not in the narrative. Kenny explained that the drawing shows an “access path to open space,” but not as much detail as they got while inspecting the site. Wil had sent Kenny a cross section drawing, but it was not yet part of the application. Wil explained that the access path was specified to be 6-feet wide, with 6 inches of ¾-inch crushed grave. Ronald stated the applicant would have to submit that information as an application amendment before the board can act on the permit. Kenny asked if the permit could be acted on at the business meeting. Pete asked Wil if the trail would cross the culvert. Wil replied that it is just to provide access to the culvert. Kenny asked if the area over the culvert will be resurfaced. Wil replied no. Ronald and Pete voiced concern that the drawings were not clear. Pete recommended tabling the application pending receipt of a cross-section of the trail, description of trail work going to the culvert, and the approximate length of the trail.

Verdell Jackson motioned “to table until the business meeting, pending receipt of additional information on the path.” Pete Woll seconded. Motion carried unanimously.

BNSF RR, FL2019011, Crystal Creek, railroad/channel alteration/bank stabilization/bridge: Ronald Buentemeier stated the project is for work on the railroad line. Valerie Kurth reported that she had contacted BNSF and learned that under the ICC Termination Act, the Federal Surface Transportation Board has exclusive jurisdiction over railroad operations and facilities, which includes BNSF. BNSF submits permits to local and state agencies voluntarily and tries to comply with local requirements; however only federal permits are needed. They received the required 404-permit from the Army Corps of Engineers and are probably almost done with the project. Leo Rosenthal stated this makes sense and looking at the photos it is an extremely necessary project. The photos show one of the abutments



holding up the railway bridge over the stream. He felt that even if they held an onsite inspection and permitted the project, he would not have made any other recommendations. He recommended that the board either determine this not to be a project under their jurisdiction or issue a permit as proposed.

Ronald Buentemeier motioned “this is not a project under our jurisdiction.” Pete Woll seconded. Motion carried unanimously.

Hayek, FL2019015, Stillwater River, bank stabilization: Ronald Buentemeier stated bank stabilization work is being proposed on Stillwater River, with steel pilings to be placed along the stream. Mr. Hayek stated he found that the cost of the steel pilings is cost prohibitive, and he submitted an amended application to use rip rap instead of the piling.

An onsite was scheduled for Thursday, April 18, 8:30 A.M. at the site.

Hogan, FL2019004, Rose Creek, well/cistern/excavation/structures/utilities: An onsite inspection was scheduled for Thursday, April 18, 3:30 P.M. at the site.

Juno, FL2018034C, Walker Creek, complaint tabled: Ronald Buentemeier stated Mr. Juno is still waiting for a Floodplain Permit. When work is finished under the 310-permit he will submit the Work Completion form. Ronald Buentemeier motioned “to table the complaint.” John Ellis seconded. Motion carried unanimously.

Krost, FL2018070C, Stillwater River, complaint: An onsite inspection was scheduled for Thursday, April 18, 10:00 A.M. at the site.

Mayard, FL2018021, Stillwater River, permit extension request: Dan O’Neil, representing John Mayard, explained that he had just recently received the floodplain permit from Flathead County Planning & Zoning, and he is requesting a one-year 310-permit extension so work can be done this fall. The current permit expires 6/11/2019.

Verdell Jackson motioned “to approve a one-year permit extension.” John Ellis seconded. Motion carried unanimously.

Nielsen, FL2017036, Stillwater River/Martin Creek, Follow-Up Inspection: Verdell Jackson provided photos and read Mr. Nielsen’s permit amendment request letter dated 3/11/2019 regarding the screen over the culvert. Pete Woll asked about the size on the openings on the screen. Leo Rosenthal stated it looks like a hog panel. The board discussed their respective experiences with beavers and culverts, including their ability to place large sticks through openings in the screen and plugging it in a relatively short time period. Removing the material is much harder from a screened culvert than a regular open one, and it increases the risk of it washing out completely. Leo Rosenthal stated there are alternative strategies, such as Beaver Deceivers or Levelers, which allow water to continue to flow through the culvert. Kenny stated this is a small groundwater-associated stream and noted we have not permitted anything like this in the past. One of the reasons we are careful in permitting culverts is to make sure we are minimizing impacts to the stream and maintaining stream processes – it needs to be adequately sized to convey bedload and debris. The screen will



make it easier for the beaver to dam it and greatly increases the risk of a wash-out. Kenny added if there are beaver in the area, they will block the culvert easily with or without the screen, so monitoring the site is important. John Ellis asked what the district letter had asked the landowner to do. Valerie Kurth replied it states “to either remove the screen or submit a request to amend the permit that explains the reasoning for it.” Valerie stated she had talked with Don MacIntyre about this and he said the district could accept the letter as a request for an amendment.

John Ellis motioned “to deny the permit amendment request.” Pete Woll seconded. Motion carried with one no vote.

A brief discussion followed regarding various solutions for dealing with beaver.

95 Karrow LLC, FL2019017, Whitefish River, trail/dock/retaining wall/bank stabilization: An onsite inspection was scheduled for Thursday, April 11, 8:30 A.M. at the site.

Oursland, FL2018011, Flathead River, permit extension request: Pete Woll stated the applicant is requesting a one-year permit extension. Last year water came up before the landowner could put the dock extension and lift station in. Work will be completed this spring.

Pete Woll motioned “to approve a one-year permit extension.” Dean Sirucek seconded. Motion carried unanimously.

Sethre, FL2019016, Flathead River/Church Slough, dock/stairs/gangway: An onsite inspection was scheduled for Thursday, April 25, 9:00 A.M. at the site.

Weber, FL2019013, Flathead River, bank stabilization/dock/boat ramp: Dean Sirucek stated an onsite inspection was held last week. The landowner did not have plans for what he wants to do and asked that this be tabled.

Dean Sirucek motioned “to table until the next 310-meeting.” John Ellis seconded. Motion carried unanimously.



NEW BUSINESS

Education Grant: Hailey Graf provided supervisors with copies of an Education Grant request.

Whitefish Middle School 7th grade science teachers Megan Chaisson and Randy Hohf introduced themselves and presented their request to purchase frogs. They explained that in 7th grade Life Science, students do a frog dissection as their first major lab activity. Examples of past student projects were passed around for supervisors to see. Randy noted that classes will be taken to Whitefish City Beach this spring for mussel walks which fits well with mussels/invasive species and ecology aspects of the unit. John Ellis asked if funding was available through the PTA for this type of request. Megan replied that the PTA has been gracious in providing funding in the past; however, it has recently been re-branded as the Family Involvement Team (FIT), and it no longer funds consumables, such as frogs. Megan stated this year they have approximately 150 students and a budget of \$500, so they need to seek external funding for supplies for hands-on learning activities, such as the frog dissection. She explained that their request would be enough for a 2-year supply of frogs, and they can get a bulk discount. Randy added they are vacuum sealed and can be stored. He stated that they also use various digital programs, but this is real-life, hands-on and it helps to get kids excited about science. Megan and Randy both expressed appreciation to the board for the opportunity to present their request and thanked the board for their time.

The board asked about deadlines and budget. Hailey replied that the program is now on a rolling deadline to make it easier for teachers to submit applications. This Fiscal year ends June 30, and there may be two more groups submitting requests; however, no funding from the Education Grants budget line has been spent yet.

Dean Sirucek motioned “to approve the education grant in the amount of \$968.28 to Whitefish Middle School for science materials.” John Ellis seconded. Motion carried unanimously.



MATTERS OF THE BOARD/STAFF

Family Forestry Expo: Hailey Graf asked supervisors to sign up to help at May 6-10 Family Forestry Expo.

Follow-up Inspection: Ronald Buentemeier stated he had received the Follow-up Inspection form for Stalowy, FL2019002. The follow-up onsite inspection will be held Wednesday, April 24, 10:00 A.M. at the site. Supervisors and FCD will meet at the Flathead CD office at 9:30 A.M.

Logo: Valerie Kurth asked supervisors to submit the Logo Design input forms.

College Scholarships: Supervisors asked about College Scholarship applications, ranking and awarding funding. Hailey Graf replied that this will be on the business meeting agenda. She suggested supervisors review the applications and come with their top and bottom selections.

The next business meeting is scheduled for Monday, April 22, 2019, 7:00 P.M. in the conference room of the USDA building at 133 Interstate Lane, Kalispell.

Adjournment: Dean Sirucek motioned “to adjourn.” John Ellis seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 8:35 P.M.

Submitted By:

Ginger Kauffman
Administrator

Valerie Kurth, Ph. D.
Resource Conservationist

Minutes approved by FCD Board motion made on:

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| <u>4/22/2019</u> | <u>Ronald Buentemeier</u> | <u>Chair</u> |
| (Date) | (Signature) | (Title - Chair etc.) |

